

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 4 and 14 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1, 3, 4, 6-8 and 11-14 are now pending in this application.

Applicant appreciates the courtesy extended by the Examiner during the telephonic interview conducted on November 22, 2004.

Claims 1, 3, 4, 6-8 and 11-14 were again rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,993,068 to Piosenka et al. (hereinafter "Piosenka") in view of U.S. Patent No. 6,484,260 B1 to Scott et al. (hereinafter "Scott"). Applicant respectfully traverses the rejection of the claims, as amended, for at least the following reasons.

The present invention relates to a personal identification system and method employing living body characteristics, such as finger prints, voice prints, etc. A system according to an embodiment of the invention, as illustrated in Figures 1 and 2, includes a personal identification device 100. The device 100 includes a non-portable terminal having a reader/writer 70 that is adapted to read data from and write data to a portable storage media, such as IC card 200. One or more detectors for detection of living body characteristics of a user are positioned on the device 100, and the device is provided with an identifier for performing identification.

In operation, a user presents the portable storage media to the device 100 at, for example, an access point to a secured area. The portable storage media 200 may have at least one living body characteristic of the user stored thereon. An identification algorithm for personal identification is stored on the portable storage media. Once the portable storage media 200 is presented to the device 100 and a living body characteristic of the user is detected by the detectors on the device 100, personal identification is performed by transferring the detected living body characteristic from the non-portable terminal to the portable storage media. Accordingly, independent claim 1 recites performing “personal identification by transferring from said identifier in said non-portable terminal to said portable storage media said living body characteristic data ....” Independent claims 4, 8 and 14 recite a similar feature.

None of the cited references discloses at least this feature of the pending claims.

Specifically, Scott discloses a system in which the living body characteristic detector is included in a portable personal identification device (PID) 6. An unencrypted random number is transmitted from a host processing unit to the PID. See Scott, Fig. 7, block 116. The detector on the PID is used to detect a living body characteristic and, when the detected living body characteristic matches a stored template, the PID encrypts the random number received from the host and transmits the encrypted random number. The host then decrypts the random number and compares the decrypted random number to the originally transmitted random number to grant or deny access. Thus, the system disclosed in Scott only transfers a random number in unencrypted and in encrypted form.

The Examiner asserts that Scott discloses transferring the detected living body characteristic to the portable storage media at col. 6, line 54 through col. 7, line 8; col. 8, lines 60-65; and col. 9, lines 8-15. However, any transfer of such data in Scott is performed within the PID 6. For example, Scott discloses that the fingerprint image signal is communicated from the optics unit 12 to processing unit 16 via a six-wire connector 68. See Scott, col. 8, lines 62-63. As clearly shown in Figure 1 of Scott, both the optics unit 12 and the processing unit 16 are located within the PID 6. Thus, Scott fails to teach or suggest performing “personal

identification by transferring from said identifier in said non-portable terminal to said portable storage media said living body characteristic data ....”

Accordingly, Independent claims 1, 4, 8 and 14 are patentable. Claims 3 and 11 depend from allowable claim 1, claims 6, 7 and 12 depend from allowable claim 4, and claim 13 depends from allowable claim 8. Claims 3, 6, 7 and 11-13 are patentable for at least that reason, as well as for additional patentable features when those claims are considered as a whole.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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